

July 1, 2003

Honorable William L. Librera
Commissioner of Education
New Jersey Department of Education
PO Box 500
Trenton, New Jersey 08625-0500

Dear Commissioner Librera:

This is to inform you that we have approved New Jersey's Eligibility Document Submission for Federal Fiscal Year (FFY) 2003 under Part B of the Individuals with Disabilities Education Act (IDEA). Our determination that you are eligible for full approval is based on our review and acceptance of the signed interagency agreement addressing child find (34 CFR §300.125(c)(1)) submitted by New Jersey to the Office of Special Education Programs (OSEP) on June 30, 2003 in response to OSEP's June 22, 2001 issues chart.

Your July 1, 2002 grant award under Part B of the Individuals with Disabilities Education Act (IDEA) was issued with Special Conditions requiring you to report publicly, and to the Secretary, on the participation and performance of children with disabilities in alternate assessments by May 30, 2003. The progress reports you submitted on December 2, 2002, January 3, 2003, March 24, 2003 and May 27, 2003 satisfy the requirements of the Special Conditions. We appreciate your timely submission of information demonstrating your compliance with these important requirements.

Please note that as part of your Eligibility Document Submission for FFY 2003, your State has made an assurance, under 34 CFR §80.11(c), that it will comply with all applicable Federal statutes and regulations in effect with respect to the periods for which it receives grant funding. Any changes made by the State, after OSEP approval, to information that is a part of a State's eligibility documentation, must meet the public participation requirements of the IDEA and must be approved by OSEP before implementation.

I would like to remind you of the post-approval notification provision in 34 CFR §300.284, which requires your Department to "give notice in newspapers or other media, or both, that the policies and procedures are approved. The notice must name places throughout the State where the policies and procedures are available for access by any interested person." Once the notice has been published, a copy should be submitted to the Office of Special Education Programs (OSEP).

Enclosed are grant awards for funds currently available under the Department of Education FFY 2003 Appropriations Act for the Part B Section 611 (Grants to States) and Section 619

(Preschool Grants) programs. These funds are for use primarily in school year 2003-2004 and are available for obligation by States from July 1, 2003 through September 30, 2005.

The amount in your award for Section 619 represents the full amount of funds to which you are entitled. However, the amount shown in your award for the Section 611 program is only part of the total funds that will be awarded to you for FFY 2003. Of the \$8,874,397,536 appropriated for Section 611 in FFY 2003, \$3,202,397,536 is available for awards on July 1, 2003, and \$5,672,000,000 will be available on October 1, 2003.

The funding formula for the Section 611 program is the same as was implemented for FFY 2000. Subject to certain maximum and minimum funding requirements, State allocations are based on the amount that each State received from FFY 1999 funds, the general population in the age range for which each State ensures a free appropriate public education (FAPE) to all children with disabilities, and the number of children living in poverty in the age range for which each State ensures FAPE to all children with disabilities.

Enclosure A provides a short description of how Section 611 funds were allocated and how those funds can be used. In addition, Table I in Enclosure A shows funding levels for distribution of Section 611 funds.

Enclosure B provides a short description of how Section 619 funds were allocated and how those funds can be used. In addition, Table II in Enclosure B shows State-by-State funding levels for distribution of Section 619 funds.

We appreciate your ongoing commitment to the provision of quality educational services to children with disabilities.

Sincerely,

/s/Patricia J. Guard

Stephanie S. Lee
Director
Office of Special Education Programs

Enclosures

cc: Barbara Gantwerk